

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

4D FACTORY, INC., et al.,

Debtors.<sup>1</sup>

Chapter 11  
(Subchapter V)  
Case No.: 23-11618 (MEW)  
(Jointly Administered)

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THE 4D FACTORY LLC,

Plaintiff,

-against-

Adv. Pro. No. 24-01319 (MEW)

MARK LONG, COLIN FORAN,  
NAOMI LACKAFF, AARON NONIS,  
DON NORBURY, MARK YEEND,  
CALVIN ZHOU, GRIFFIN GAMING  
PARTNERS II, L.P., GRIFFIN GAMING  
PARTNERS II SIDE FUND, L.P., POLYCHAIN  
VENTURES II LP, POLYCHAIN VENTURES II  
(PARALLEL) LP, PIERRE-EDUOARD  
PLANCHE, BENJAMIN PERSZYK,  
JOSH ROSENTHAL,

Defendants,

and

NEON MACHINE, INC., ARGON PROTOCOL  
FOUNDATION, ARGON ASSET VENTURES  
CORP.

Nominal Defendants.

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GRIFFIN GAMING PARTNERS II, L.P., GRIFFIN  
GAMING PARTNERS II SIDE FUND, L.P.,  
POLYCHAIN VENTURES II LP, POLYCHAIN  
VENTURES II (PARALLEL) LP,

Counterclaim-Plaintiffs, v.

THE 4D FACTORY LLC,

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<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtors' federal tax identification number, are 4D Factory Inc. (6770), and The 4D Factory LLC (8935).

Counterclaim-Defendant.

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GRIFFIN GAMING PARTNERS II, L.P., GRIFFIN  
GAMING PARTNERS II SIDE FUND, L.P.,  
POLYCHAIN VENTURES II LP, POLYCHAIN  
VENTURES II (PARALLEL) LP,

Third-Party Plaintiffs,

v.

CORT JAVARONE, SCOTT HONOUR, and STEVE  
HOROWITZ,

Third-Party Defendants.

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**ORDER GRANTING MOTION FOR EXPEDITED HEARING  
TO CONSIDER THE DEBTORS' MOTION SEEKING ENTRY OF AN ORDER  
AUTHORIZING THE DEBTORS TO ENTER INTO AN AGREEMENT WITH  
MEP CAPITAL HOLDINGS III, LP AND CORT JAVARONE**

Upon the motion (the "Motion") of 4D Factory, Inc., and The 4D Factory LLC (the "Debtors") requesting the Court for an expedited hearing and shortened notice on their Motion to Approve the MEP Agreement (the "MEP Motion") and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; the Court having found that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore;

IT IS HEREBY ORDERED THAT:

1. The Motion to schedule an expedited hearing is GRANTED to the extent set forth herein.
2. A hearing will be conducted on **May 6, 2024 at 11:00 a.m.** to consider the MEP Motion.

Dated: New York, New York  
April 29, 2024

/s/ Michael E. Wiles  
UNITED STATES BANKRUPTCY